

Serial No. 10/728,801
Filed: December 8, 2003

REMARKS/ARGUMENTS

Reconsideration of the above application in view of the above amendments and the below remarks is requested.

In the Office Action, the Patent Office rejected claims 1 to 3, 7, 11 to 13, 15 and 16 as allegedly being unpatentable under the judicially created doctrine of obviousness-type double patenting over claims 6, 12, and 14 of copending application serial no. 10/110,656 in view of Chin et al (United States Patent No. 6,159,665) or over claims 6, 7, 12, and 14 of copending application serial no. 10/110,656 in view of Thackeray et al (United States Patent No. 6,300,035). Also in the Office Action, the Patent Office indicated that claims 4 to 6, 8 to 10, 14, and 17 to 19 were objected to as being dependent upon a rejected claim but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claim.

Applicants note that copending application serial no. 10/110,656 has issued as United States Patent No. 6,902,875 on June 7, 2005.

Applicants have amended the claims as follows: Claim 4 has been amended to incorporate claim 1; Claim 5 has been amended to incorporate claim 1; Claim 8 has been amended to incorporate claims 1 and 7; Claim 9 has been amended to incorporate claim 1; Claim 11 has been amended to further define the invention; Claim 14 has been amended to incorporate claim 11 (prior to its amendment); Claim 17 has been amended to incorporate claims 11 (prior to its amendment) and claim 16; and Claim 18 has been amended to incorporate claim 11 (prior to its amendment).

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Applicants noted that the Patent Office stated in the Office Action as to claim 15 that "(the present claim language of claim 15 does not require the presence of the peroxide)." As such, applicants have amended claim 11, from which claim 15 depends to require the presence of peroxide. Thus, applicants are of the view that claims 11 and 15 are now allowable.

Additionally, applicants believe that claims 12 and 13, which depend from claim 11, are also allowable.

With the above amendments, there are now eight (8) independent claims. As applicants previously paid for three (3) independent claims when the application was filed, there is a fee now due for the additional five (5) independent claims. See the enclosed Amendment Transmittal Letter for calculation of the fee due.

Applicants submit that the concerns of the Patent Office have been addressed. Withdrawal of the rejections and issuance of a Notice of Allowance is respectfully solicited.

Respectfully submitted,


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